

REMARKS

In the Office Action dated May 2, 2003, claims 1-6, 8-11 and 13-15 are pending in the Application and all are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP-729 and JP-847. During the course of recent prosecution, claims were amended to incorporate important limitations which were critical to the unexpected and improved results achieved by the alloy compositions of the present invention.

More specifically, independent claim 1 was amended to include the key feature of a gold to aluminum weight ratio of at least 3.66.

Independent claim 5 was amended to include the critical feature that when stated ranges of gold and aluminum weight percent were present, an additional specific element must be present in order to achieve unexpected and improved results.

Independent claim 13 was amended to recite an alloy having a particular content weight range of aluminum and requiring that a critical additional element be present.

The criticality of the limitations in all of the aforesaid independent claims 1, 5 and 13 was demonstrated by reference to actual data in the application as provided in a comparison table accompanying the amendment dated January 29, 2003. Such criticality was demonstrated as compared to controls mentioned in the specifications. Such controls showed metallurgic performance which was unacceptable and the critical aforesaid limitations were not met. Further, it was demonstrated that none of the art of record recognized the criticality as set forth in the present independent claims 1, 5 and 13.

During telephone conference on July 9, 2003, the aforesaid features, criticality, and evidentiary support was discussed with Examiner Wilkins. Examiner Wilkins newly

acquired responsibility for this file due to the departure of Examiner Wessman formally responsible for the file.

As a result of the telephone conference Examiner Wilkins asked that the aforesaid criticalities be further explained on the record demonstrating that applicant met the burden under 35 U.S.C. § 103.

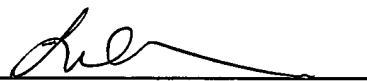
Having complied with the request of Examiner Wilkins, it is respectfully requested that all pending claims 1-6, 8-11 and 13-15 be allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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